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DOCKETED BEFORE THE ARIZONA CORPORATION COMMISSION

CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER

2000 DEC 11 P 3:17

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
BLACK MOUNTAIN GAS COMPANY, CAVE
CREEK OPERATIONS, FOR A HEARING TO
DETERMINE THE EARNING OF THE
COMPANY, THE FAIR VALUE OF THE
COMPANY FOR RATEMAKING PURPOSES, TO
FIX A JUST AND REASONABLE RATE OF
RETURN THEREON AND TO APPROVE RATE
SCHEDULES.

DOCKET NO. G-03703A-00-0283

PROCEDURAL ORDER

BY THE COMMISSION:

On April 28, 2000, Black Mountain Gas Company – Cave Creek Operations (“BMGC” or “Company”) filed with the Arizona Corporation Commission (“Commission”) a rate application.

On May 26, 2000, the Utilities Division (“Staff”) of the Commission filed a letter indicating that BMGC’s rate application was sufficient and classifying the utility as a Class A utility.

On May 30, 2000, the Residential Utility Consumer Office (“RUCO”) filed a Motion for Leave to Intervene. There has been no opposition to the request to intervene.

On June 20, 2000, the Commission issued the Amended Rate Case Procedural Order “ARC Order”) which granted intervention to RUCO and set forth the dates for hearing and for the filing of testimony.

On December 8, 2000, BMGC, RUCO and Staff filed what was captioned “Stipulation Between Parties to Extend Service” (“Stipulation”). The parties stipulated that the following dates be moved and/or extended: (1) time to file rebuttal from December 20, 2000 to December 29, 2000; (2) time to file surrebuttal to January 18, 2001; (3) time to file rejoinder to January 25, 2001; and (4) date for hearing to be set from January 18, 2001 to January 28, 2001.

Accordingly, the Stipulation should be approved. However, because the dates set forth above did not include all necessary dates and because the date proposed for hearing (January 28, 2001) is a Sunday certain changes will be necessary. Additionally, since BMGC has previously provided public

1 notice that the proceeding is to be held on January 23, 2001 at 10:00 a.m., the proceeding will be
2 initially convened on that date as scheduled for the taking of public comment after which the
3 proceeding will be continued to the new date for the evidentiary portion of the proceeding.

4 IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall
5 commence on January 23, 2001 at 10:00 a.m., or as soon thereafter as is practical, at the
6 Commission's offices in Phoenix, 1200 West Washington Street, Phoenix, Arizona 85007 for the
7 purpose of taking public comment.

8 IT IS FURTHER ORDERED that all parties shall also set aside **January 31, February 1 and**
9 **2, 2001 at 9:30 a.m.** for purposes of the evidentiary hearing.

10 IT IS FURTHER ORDERED that the pre-hearing conference shall be continued from January
11 17, 2001 to **January 29, 2001 at 1:30 p.m.** at the Commission's Phoenix offices, for the purpose of
12 scheduling witnesses and the conduct of the hearing.

13 IT IS FURTHER ORDERED that any rebuttal testimony and associated exhibits to be
14 presented at hearing by the Company shall be reduced to writing and filed on or before **December**
15 **29, 2000** instead of December 20, 2000.

16 IT IS FURTHER ORDERED that any surrebuttal testimony and associated exhibits to be
17 presented by the Staff or intervenors shall be reduced to writing and filed on or before **January 18,**
18 **2001** instead of January 8, 2001.

19 IT IS FURTHER ORDERED that any rejoinder testimony and associated exhibits to be
20 presented at the hearing on behalf of the Company shall be reduced to writing and filed on or before
21 **January 25, 2001** instead of January 15, 2001.

22 IT IS FURTHER ORDERED that any objections to any testimony or exhibits which have
23 been prefiled as of **January 25, 2001** shall be made on or before **January 26, 2001.**

24 IT IS FURTHER ORDERED that all remaining Orders of the Amended Rate Care Procedural
25 Order as set forth therein shall remain in effect.

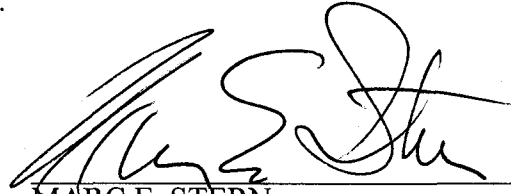
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1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 11TH day of December, 2000.

4
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6 
7 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 11TH day of December, 2000 to:

10 James H. Willson
11 BLACK MOUNTAIN GAS CO.
12 P.O. Box 427
Cave Creek, Arizona 85327

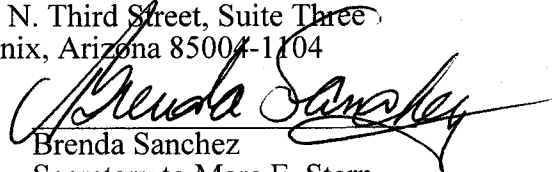
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27 By: 
28 Brenda Sanchez
Secretary to Marc E. Stern